

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CINDY BOBRYK, individually and on behalf of all:
those similarly situated,

Plaintiff,

v.

DURAND GLASS MANUFACTURING
COMPANY, INC.,

Defendant.

CIVIL ACTION NO.

1:12-cv-05360-NLH-JS

DECLARATION OF STEPHANIE OJEDA

I, STEPHANIE OJEDA, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am currently employed by Durand Glass Manufacturing Company, Inc. ("Durand") as Human Resources Manager. I have held that position for nearly eight years. As such, and based on my review of Durand's records, I have personal knowledge of the following.

2. Presently, Durand has 13 production departments, and a total of 100 different production job positions (titles) within those production departments. A full listing (which has been updated since my deposition testimony), is attached as Exhibit 1, including the number of employees who currently work in each position. The current total number of production employees in the Millville, New Jersey plant is 580. These numbers are based on my review of Durand's records as of today.

3. Attached as Exhibit 2 is a listing of each department, or employee group within a department, and the PPE required for each group, along with the estimated number of employees

in each department or group. In addition to the PPE listed on this chart, Packers are required to use gloves when handling product, and Hot End Operators are required to wear gloves when operating machines, but neither position is required to wear gloves until they begin working their shift. Also, the employee population numbers are based on my review of Durand's records at the time I created the attached chart, and may fluctuate depending on the level of activity at the plant.

4. I am familiar with Durand's discipline policies for lateness and tardiness, including the language that Plaintiffs reference in their brief concerning discipline for arriving to work more than three minutes late. That policy has not been in effect since at least July 16, 2012, when Durand instituted the Kronos timekeeping system and the associated seven-minute grace period/rounding rules. The employees responsible for tracking attendance do not assign points unless the employee clocks in eight minutes later (or more) than their scheduled shift time.

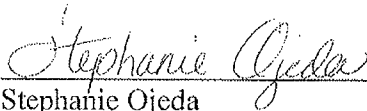
5. At one point in time Durand required employees working in the Decorating department to wear a uniform to protect them from contact with paints which contained Lead. Durand paid for this uniform rental. In March 2006, Durand discontinued any use of paints that were lead-based, and no longer requires employees in the Decorating department to wear uniforms. Presently, and since my employment with Durand, Decorators have had the option of wearing a respirator, which is kept at the decorating station and does not need to be worn, if at all, until the Decorator is handling paint.

6. Beginning in July 2013, Durand began offering any employee who wished to wear a uniform the option of procuring a fire resistant uniform from the uniform provider. There is still no requirement that employees wear uniforms, or specific fire resistant clothes. Prior to

July 2013, the uniforms were made only of cotton, which is still an available choice for employees outside of the Hot End and Maintenance Department.

I declare under penalty of perjury subject to the laws of the United States of America that the foregoing is true and correct.

Executed on this 7th day of April 2014, at Millville, New Jersey.


Stephanie Ojeda